

BULLETIN



Comptroller of the Treasury ● Alcohol and Tobacco Tax Unit ● Goldstein Treasury Building ● P.O. Box 2999
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TO: All Wholesalers, Non-Resident Dealers, and Other Interested Parties

SUBJECT: Interstate Shipment of Alcoholic Beverages – Felony Provisions

The 1999 Session of the Maryland General Assembly passed new legislation relating to interstate shipments of alcoholic beverages (also known as “mail order” alcohol). House Bill 278, which was signed into law, and becomes effective October 1, 1999, makes it a **felony** for anyone engaged in the business of selling or distributing alcoholic beverages in or from another state to ship, cause to be shipped, or deliver alcoholic beverages to persons in Maryland who do not hold the proper class of license or permit. This prohibition also includes alcohol that is ordered or purchased through a computer network (i.e. the Internet).

While this activity is currently illegal, as of the October 1, any direct shipment or transportation of alcoholic beverages to consumers from out of state is a felony. Under this legislation, it would be considered a violation for a license or permit holder, or other person or entity, to utilize

a third party to clear or ship product to the Maryland consumer or to act as the consumer’s “agent” in arranging shipping.

It would also be a violation for a public carrier or transporter to ship or deliver such product in Maryland. In addition to the transporter being charged under the felony provision, a conveyance used to transport contraband product and/or the product itself could be confiscated.

As in the past, the Maryland Alcohol and Tobacco Tax Unit will continue to actively enforce Maryland laws prohibiting direct shipments, including the new law which makes this activity a felony.

Please contact this office at (410) 260-7314 if you have any questions regarding this bulletin.

Charles W. Ehart, DPA
Director

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